

REMARKS

The present invention relates to novel nucleic acids encoding a mammalian soluble Jagged, and proteins encoded thereby, as well as compositions and methods relating thereto.

The above-captioned application is a divisional application of U.S. Patent Application No. 09/579,536, filed May 24, 2000 (the "prior application"), now allowed, which is a continuation-in-part of U.S. Patent Application No. 09/199,865, filed November 25, 1998, which is a continuation of PCT Application No. PCT/US97/09407, filed May 30, 1997, all of which are entitled to priority under 35 U.S.C. § 119(e), to U.S. Provisional Patent Application No. 60/018,841, filed on May 31, 1996.

This application is being filed to prosecute an invention that was not elected in the prior application. The amendments made herein relate, among others, to cancellation of claims to prosecute the invention now elected and to address formal matters addressed previously in the prior application as more fully set forth below, all of which should expedite prosecution of the present application.

Amendments to the claims

By Restriction Requirement mailed on December 4, 2001 (Paper No. 9) in the prior application, original claims 1-44 were restricted into eight (8) groups. By Response to the Restriction Requirement filed May 3, 2002, in the prior application, Applicants elected the invention of Group I, claims 1, 4, 6, 8-15, 27 and 28 for prosecution. The prior Application having been allowed, Applicants wish to prosecute the invention of Group II, claims 17-19, 21-26, 29-31 and 42-44.

Accordingly, Applicants have canceled, without prejudice, original claims 1-16, 20, 27-28 and 32-41. Applicants reserve the right to pursue the subject matter of the canceled claims in and later filed continuing and/or divisional application(s). Accordingly, claims 17-19, 21-26, 29-31 and 42-44 are now under consideration.

Applicants have amended claims 17-19, 21, 23, 29-31, and 42-44 to, in essence, refer to various nucleic and amino acid sequences disclosed in the specification as filed. These amendments do not add any new matter since they are supported by the specification as filed.

Amendments to the specification

The specification of the prior application was objected to by the Examiner because it contained embedded hyperlink and/or other form of browser-executable code. Applicants, in a good faith effort to expedite the prosecution of the present divisional application, have removed any such code from pages 25 and 128 of the specification. Further, Applicants have also amended the specification merely to insert the SEQ ID NOs corresponding to the sequences set forth in the Sequence Listing filed in the prior application. As such, the amendments made herein do not add any new matter.

Amendments to the drawings

A copy of the revised formal drawings (18 sheets) filed in the prior application is submitted herewith along with a Transmittal of Formal Drawings to the attention of the Official Draftsperson. More specifically, the revised formal drawings merely refers to the formal drawings filed on February 4, 2003, in the prior application in response to the Notice to Draftsperson's Patent Drawing Review (Form PTO 948) dated October 25, 2002. No new matter has been added by this amendment. The revised formal drawings merely conform to the formal drawings submitted in the prior application which were filed to correct informalities in the original drawings filed in the prior application.

Summary

Applicants respectfully submit that each of claims 17-19, 21-26, 29-31 and 42-44 is in condition for allowance. Consideration and allowance of each of these claims are respectfully requested at the earliest possible date.

Respectfully submitted,

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(Date)

By:

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